

STATE OF MICHIGAN
CIRCUIT COURT FOR THE 30TH JUDICIAL DISTRICT
INGHAM COUNTY

LINDA A. WATTERS, COMMISSIONER,
OFFICE OF FINANCIAL AND INSURANCE
SERVICES FOR THE STATE OF MICHIGAN,

Petitioner,

File No.: 03 1127 CR

v

Honorable William E. Collette

THE WELLNESS PLAN,
a Michigan health maintenance organization,

Respondent.

MARK J. ZAUSMER (P 31721)
AMY M. SITNER (P 46900)
Zausmer, Kaufman, August & Caldwell, P.C.
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FILED
2005 JUN 22 A 9:25
MIKE BRYANTON
CLERK OF THE 30TH
JUDICIAL CIRCUIT COURT
INGHAM COUNTY CLERK

ORDER REGARDING CLAIM PRIORITIES

At as session of said Court, held in the Courtroom thereof, in
the City of Mason, County of Ingham, State of Michigan, this

10-17-05

PRESENT: HON. _____

CIRCUIT COURT JUDGE

This matter having come before the Court on the Rehabilitator's Request for a briefing
schedule and hearing on the issue of the priority of claims against The Wellness Plan under
Section 8142 of Chapter 81 of the Michigan Insurance Code of 1956, MCL 500.8142, Briefs

having been filed and the Court having heard oral argument and being otherwise fully advised in the premises:

IT IS ORDERED that the pre-rehabilitation claims of medical providers against The Wellness Plan will be classed and, upon Court approval, paid as Class 2 claims, consistent with MCL 500.8142(1)(b).

IT IS FURTHER ORDERED that the claims of medical malpractice Plaintiffs will, upon Court approval, be paid out of the self-insured trust account ("Trust") established for the payment of such claims; any amounts determined by the Court to be owed on medical malpractice claims above the amount in the Trust will be classed and paid out as Class 4 claims, consistent with MCL 500.8142(1)(d).

IT IS FURTHER ORDERED that the Rehabilitator will, as soon as practicable, prepare and file a petition or petitions, consistent with MCL 500.8143(1) and this Court's prior Orders, setting forth a report of pre-rehabilitation provider claims against The Wellness Plan and the Rehabilitator's recommended claim amounts, which report will be approved, disapproved or modified by this Court consistent with MCL 500.8143(2) and this Court's prior Orders.

WJO Pursuant to MCR 2.604(B), there is no just reason for delay, and this is a final order.

W S Caldwell

CIRCUIT COURT JUDGE